

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, INC.,	:	
Plaintiff,	:	Civil Action No. 07-2983 (JAG)
v.	:	ORDER
GREENWICH INSURANCE COMPANY,	:	
ILLINOIS NATIONAL INSURANCE COMPANY, LEXINGTON INSURANCE COMPANY, OHIO CASUALTY INSURANCE COMPANY, UNITED STATES FIDELITY AND GUARANTY COMPANY, VIRGINIA SURETY INSURANCE COMPANY, INC.,	:	
Defendants.	:	

GREENAWAY, JR., U.S.D.J.

This matter comes before this Court on the motion of defendant, Lexington Insurance Company (“Defendant”), for partial summary judgment, pursuant to FED. R. CIV. P. 56, against plaintiff, Langan Engineering and Environmental Services, Inc., (“Plaintiff”).

In the instant action, Defendant failed to include a Statement of Material Facts, pursuant to L. CIV. R. 56.1. Failure to comply with this rule warrants denial of the motion seeking the grant of summary judgment. See L. CIV. R. 56.1(a). This Court having reviewed the submissions of the parties,

IT IS on this 29th day of June, 2009,

ORDERED that Defendant’s motion for summary judgment (Docket Entry No. 99), pursuant to FED. R. CIV. P. 56, is denied; and it is further

ORDERED that Defendant may re-file its motion for summary judgment, with the requisite Statement of Material Facts (L. Civ. R. 56.1 Statement), and other necessary briefs, papers, and documents, by July 31, 2009; and it is further

ORDERED that Plaintiff may respond to Defendant's motion for summary judgment, with the requisite Statement of Material Facts (L. Civ. R. 56.1 Statement), and other necessary briefs, papers, and documents, by September 9, 2009; and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.

S/Joseph A. Greenaway, Jr.
JOSEPH A. GREENAWAY, JR., U.S.D.J.